

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-12520

BIA No. A46-308-957

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT April 4, 2006 THOMAS K. KAHN CLERK</p>
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ROY AZIM,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals

(April 4, 2006)

Before TJOFLAT and HULL, Circuit Judges, and RESTANI*, Judge.

PER CURIAM:

*Honorable Jane A. Restani, United States Court of International Trade Chief Judge,
sitting by designation.

After review and oral argument, this Court vacates the Board of Immigration Appeals' decision, dated April 20, 2005, and remands this case back to the BIA for further consideration of the 1991 vacatur and the 1997 vacatur of petitioner's convictions in light of its own recent decisions in In re Cota-Vargas, 23 I. & N. Dec. 849 (BIA Nov. 18, 2005), and In re Adamiak, 23 I. & N. Dec. 878, 2006 WL 307908 (BIA Feb. 8, 2006). Nothing herein shall be construed as any ruling on the substantive issues in this case but only a remand so that the BIA should address the effect of its own decisions in the first instance.

VACATED and REMANDED.